

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

Food Lion, LLC, and Maryland and Virginia
Milk Producers Cooperative Association,
Inc.,

Plaintiffs,

v.

Dairy Farmers of America, Inc.,

Defendant.

Case No. 1:20-cv-00442

**JOINT MOTION TO EXTEND DEADLINE FOR FILING OF JOINT
SUBMISSION ON DISCOVERY SCHEDULING**

NOW COME the Parties in this matter and, jointly, move this Court for a seven (7) day extension of time within which to file a Joint Submission addressing the Parties' positions on discovery. Under this Court's Order of June 10, 2020, [ECF #28] providing for Expedited Discovery, the Court ordered this submission to be made on June 22, 2020. The Parties jointly request until June 29, 2020, within which to make this submission.

The grounds for this Motion are that, as suggested by the Court in its Order, the Parties are in the process of meeting and conferring over whether consolidation under Fed.R.Civ.P. Rule 65(a)(2) is appropriate and, if so, the terms and conditions under which such consolidation (and a longer period of discovery) could occur. The Parties believe that the extension of the present Joint Submission deadline by seven days will permit them to continue their discussions and determine whether they can arrive at an agreement on

consolidation. If so, then the Parties would intend to submit a consolidation order and schedule to the Court, along with any necessary orders. If the Parties are unable to reach an agreement on consolidation, then the Joint Submission would occur. In all other respects, the Parties are in compliance with this Court's June 10, 2020 Order.

WHEREFORE, the Parties jointly request that this Court extend the deadline for Joint Submission presently due on June 22, 2020, to and including June 29, 2020.

Respectfully submitted this 22 day of June 2020.

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**Special Appearance Forthcoming*